

**COUNTY COMMISSIONERS OF CHARLES COUNTY, MARYLAND**

**2003 Legislative Session**

**Legislative Day # 11**

**BILL NO. 2003-08**

**Introduced by: Charles County Commissioners**

**AN ACT concerning**

**Charles County Animal Regulations**

---

---

**Date introduced: 09/15/2003**

**Public Hearing: 10/06/2003**

**Commissioners Action: 10/06/2003      Enact**

**Commissioner Votes: WC: Yes , RF: Yes , ML: Yes , DM: Yes , AS: Yes**

**Pass/Fail: Pass**

**Effective Date: 11/20/2003**

**Remarks:**

---

---

---

---

**COUNTY COMMISSIONERS OF CHARLES COUNTY, MARYLAND**

**2003 Legislative Session**

Bill No. 2003-08

Chapter. No. \_\_\_\_\_

Introduced by \_\_\_\_\_

Date of Introduction \_\_\_\_\_

**BILL**

1 AN ACT concerning

2 **Charles County Animal Regulations**

3  
4 FOR the purpose of

5 adding new provisions and clarifying or modifying existing provisions of the Charles  
6 County Animal Regulations.

7  
8 BY repealing and reenacting, with amendments:

9  
10 Chapter 230 – Dogs and Other Animals

11 Article I

12 *Code of Charles County, Maryland*

13 (1994 Edition, 2000 Supplement)

14  
15 **SECTION 1.** BE IT ENACTED BY THE COUNTY COMMISSIONERS OF  
16 CHARLES COUNTY, MARYLAND, that the Laws of Charles County, Maryland read as  
17 follows:

18  
19 **§ 230-1. Statement of Purpose.**

1 These Animal Regulations are hereby established by the County Commissioners of Charles  
2 County, Maryland to provide for the safety of the public, the humane care and treatment of  
3 animals and to encourage responsible pet ownership.

4  
5 **§ 230-2. Definitions.**

6 As used in these Regulations the following terms are defined below:

7  
8 ADULT ANIMAL – Any animal four months of age or older.

9  
10 AIR, PROPER – Enclosed areas must be constructed or modified to allow free flow of  
11 air to control temperature, humidity and prevent air stagnation.

12  
13 ANIMAL – Every non-human species of animal both domestic and wild including but  
14 not limited to dogs, cats, livestock and fowl.

15  
16 ANIMAL AT LARGE – Any animal off the premises of the owner, and not under the  
17 restraint of a person capable of controlling the animal.

18  
19 ANIMAL CONTROL – Charles County Animal Control shall include but not be limited  
20 to any individual designated by the County Commissioners to enforce these regulations  
21 and the State Code.

22  
23 ANIMAL CONTROL OFFICER – Any Animal Control Officer employed by Charles  
24 County Commissioners to enforce these regulations and the State Code. (Also referred  
25 to as an “ACO”).

26  
27 ANIMAL EXPOSED TO RABIES – Any animal which has been bitten by an animal  
28 which either has rabies or has been in proximity TO or contact with an animal that has  
29 rabies, or any animal which has not been bitten but which has been in proximity to or in

1 contact with or has otherwise been exposed for any period of time to an animal which  
2 has rabies. The determination whether an animal is infected with rabies shall be made  
3 by the Health Officer for Charles County and the Maryland Department of Health and  
4 Mental Hygiene.

5  
6 ANIMAL SHELTER – Any facility operated by a municipal agency or its agents, for the  
7 purpose of impounding animals under the authority of these regulations or State Code  
8 for care, confinement, return to owner, adoption or euthanasia.

9  
10 ANIMAL/VETERINARY HOSPITAL – Any establishment maintained or operated by a  
11 licensed veterinarian for [for] the immunization, hospitalization, surgery or diagnosis,  
12 prevention and treatment of diseases and injuries of animals.

13  
14 AUCTION – Any place or facility where animals are regularly bought, sold, or traded,  
15 except for those facilities otherwise defined in these regulations.

16  
17 BOARD – The [Animal Control Board] ANIMAL MATTERS HEARING BOARD  
18 established pursuant to these Regulations.

19  
20 CAGE – Any enclosure of limited space, enclosed on the bottom, top and all sides by a  
21 wall or otherwise, in which animals are placed for any purpose, including confinement or  
22 display.

23  
24 CIRCUS – A commercial variety show featuring animal acts for public entertainment.

25  
26 COMMERCIAL ANIMAL ESTABLISHMENT – Any person, partnership or  
27 corporation or other legal entity that has as a purpose the sale, transfer, or conveyance of  
28 any animal/animal services for money. Shall include but not be limited to any pet shop,  
29 grooming shop, auction, zoological park, circus, performing animal exhibition, boarding

1 or breeding kennel/cattery or any establishment with the purpose of training, leasing, or  
2 selling guard dogs. Shall not include animal hospitals, animal shelters or humane  
3 societies.

4  
5 COMMERCIAL BOARDING KENNEL/CATTERY – Any establishment for the  
6 commercial boarding, grooming, sale or training of dogs/cats for which a fee is charged;  
7 provided that any animal hospital maintained by a licensed veterinarian as part of the  
8 practice of veterinary medicine for the treatment of animals shall not be considered a  
9 “Commercial Kennel/Cattery”.

10  
11 COMMERCIAL BREEDING KENNEL/CATTERY – Any person, partnership or  
12 corporation or other legal entity that owns, keeps, harbors or is custodian of four or more  
13 unneutered male animals or four or more unspayed female animals or four or more of  
14 any combination of unneutered male, unspayed female animals kept or used for stud for  
15 which a fee is charged and/or for breeding for which a fee is charged for the offspring;  
16 shall not include livestock and other farm animals used in customary and normal  
17 agricultural husbandry practices.

18  
19 CRUELTY – As defined in § 230-8.

20  
21 CUSTODIAN – Any person, partnership or corporation having or taking temporary  
22 responsibility of any animal as caretaker or otherwise.

23  
24 DANGEROUS ANIMAL – As defined under § 230-12.5.

25  
26 DOMESTIC ANIMAL – Any animal kept for pleasure rather than utility; an animal of a  
27 species that has been bred and raised to live in or about the habitation of humans and is  
28 dependent on people for food and shelter.

1 GROOMING SHOP – A commercial establishment where animals are bathed, clipped,  
2 plucked or otherwise groomed.

3  
4 GUARD DOG – Any dog that is trained specifically and/or used to protect private  
5 property or a secured area.

6  
7 HUMANE SOCIETY – A non-profit organization dedicated to the rescue, rehabilitation  
8 and adoption of injured and ailing pets and to the humane education of both adults and  
9 children.

10  
11 IMPOUND – ANY ANIMAL IN THE CUSTODY OF ANIMAL CONTROL OR ITS  
12 AGENTS.

13  
14 OWNER – Any person, partnership or corporation owning, keeping or harboring one or  
15 more animals. An animal shall be deemed to be harbored if it is fed or sheltered for  
16 three consecutive days or more.

17  
18 PERFORMING ANIMAL EXHIBITION – Any spectacle, display, act or event, other  
19 than circuses, in which performing animals are used.

20  
21 PET SHOP – Any person, partnership or corporation, whether operated separately or in  
22 connection with another business enterprise, that buys or brokers any species of animal  
23 for resale for pets.

24  
25 PETTING ZOO – Any activity or facility where a fee is charged, whose purpose is to  
26 permit persons to come into physical contact with animals maintained within or upon  
27 such establishment, activity or facility.

28  
29 PUBLIC NUISANCE – As defined under § 230-12.4.

1 RABIES VACCINATION – An anti-rabies vaccination using a vaccine type approved  
2 by the Maryland State Department of Health and Mental Hygiene or the Maryland Public  
3 Health Veterinarian.

4  
5 RESTRAINT – Any animal humanely secured by a leash or lead and/or under the  
6 control of a responsible person and obedient to that person’s commands.

7  
8 SANITARY – A condition of good order and cleanliness which minimizes the  
9 probability of transmission of disease.

10  
11 SPACE, PROPER – Space available to the animal must be usable and safe (e.g. must be  
12 provided an area free from standing water, accumulated waste, sharp objects and debris  
13 and maintained in a safe and healthful manner). Space must be appropriate and  
14 sufficient for the age, breed/type, quantity, condition and size of the animal(s).

15  
16 STATE CODE – Any and all animal laws of the Annotated Code for the State of  
17 Maryland.

18  
19 VICIOUS ANIMAL – As defined under § 230-12.5.

20  
21 WILD ANIMAL – As defined in State and Federal Code.

22  
23 ZOOLOGICAL PARK – Any facility operated by a person, partnership, corporation or  
24 government agency, other than a pet shop or kennel, displaying or exhibiting one or  
25 more species of nondomesticated animals.

26  
27 **§ 230-3. Duties of all animal owners to be responsible owners.**

28 A. It shall be the duty of every owner of any animal, or anyone having any animal in  
29 his possession or custody, to exercise reasonable care and to take all necessary

1 steps and precautions to protect other people, property and animals from injuries  
2 or damage which might result from their animals' behavior, regardless of  
3 whether such behavior is motivated by mischievousness, playfulness or ferocity.  
4

5 B. In the event that the owner or keeper of any animal is a minor, the parent or  
6 guardian of such minor shall be responsible to ensure that all provisions of these  
7 regulations and the State Code are complied with.  
8

9 C. No animal may be sold or given to a minor without the written consent of the  
10 parent or legal guardian.  
11

12 **§ 230-4. [Animal Control Board] ANIMAL MATTERS HEARING BOARD.**

13 A. Membership; rules; support.

14 (1) There is hereby created an [Animal Control Board] ANIMAL  
15 MATTERS HEARING BOARD which shall consist of not more  
16 than nine members to be appointed by the County Commissioners.  
17 The Board shall consist of [five] NOT LESS THAN FOUR  
18 citizens at large and one representative each from the following  
19 agencies and professions:

20 [(a) Charles County Health Department]

21 [(b)] (a) Charles County Office of the Sheriff

22 [(c)] (b) Charles County Humane Society

23 [(d)] (c) A veterinarian licensed to practice in Charles  
24 County

25 (2) The members shall all be Charles County citizens.

26 (3) The term of appointment is for four years. [Appointees can serve  
27 no more than two consecutive full terms. This limitation shall not  
28 apply if the County Commissioners determine that there is no  
29 qualified person to replace an incumbent.] Any person appointed



1 to fill a vacancy created by resignation or otherwise shall be  
2 appointed only to fulfill the unexpired term of the member who  
3 has vacated the position. Additional appointments shall be at the  
4 pleasure of the County Commissioners in accordance with  
5 applicable laws.

- 6 (4) The members of the Board shall serve without compensation.
- 7 (5) Board members shall abide by the Charles County Code of Ethics.
- 8 (6) The Chairman and Vice Chairman shall be appointed by the  
9 County Commissioners of Charles County, Maryland.
- 10 (7) A quorum shall consist of a majority of the appointed members.
- 11 (8) To the extent provided by the approved fiscal year budget, the  
12 County Commissioners of Charles County, Maryland shall  
13 provide for the Board such office space, supplies[,] AND  
14 equipment as may be required by the Board.
- 15 (9) To the extent provided by the approved fiscal year budget the  
16 County Attorney's Office shall provide support personnel as may  
17 be required by the Board.
- 18 (10) The Board shall use Roberts Rules of Order as a guide to conduct  
19 any and all public hearings.

20  
21 B. Powers and/or duties of the [Animal Control Board] ANIMAL  
22 MATTERS HEARING BOARD.

- 23 (1) The Board shall meet TWICE monthly or at the discretion of the  
24 Chairman to fulfill the duties and responsibilities of the Board.
- 25 (2) The Board shall submit an annual report to the County  
26 Commissioners concerning its responsibility hereunder.
- 27 (3) The Board shall recommend to the County Commissioners  
28 changes in the law regarding the control of animals in Charles  
29 County.

- 1 (4) The Chairman shall notify the County Commissioners if a Board  
2 member misses three regularly scheduled meetings annually; this  
3 member may then be replaced at the discretion of the County  
4 Commissioners.
- 5 (5) Upon a written complaint or a request from a person receiving a  
6 violation notice, the Board shall conduct a public hearing after due  
7 notice to determine whether violations of these regulations have  
8 occurred and whether a person subject to an order of the Board  
9 has complied with that order.
- 10 (6) At the close of all evidence in a case, if the Board finds that a  
11 violation of the Charles County Animal Regulations occurred, it  
12 may levy fines as provided in § 230-12.9. The Board may reduce  
13 or increase any fine imposed to an amount that the Board  
14 considers appropriate in accordance with §§ 230-4 and 230-12.9  
15 of these regulations. If the Board finds that a violation did not  
16 occur, it shall dismiss the charges.
- 17 (7) The Board shall have the power to issue subpoenas for the  
18 attendance of an witness(es) and the production of document(s) at  
19 a hearing of the Board.
- 20 (8) Upon determination after notice and hearing that violations of  
21 these regulations have occurred and that a public nuisance animal  
22 or condition exists, require the payment of penalties and the  
23 talking of other affirmative action to abate.
- 24 (9) Any animal that has been determined by the Board to be a public  
25 nuisance and/or vicious and or/dangerous that is impounded for a  
26 repeat violation of the same charge may be held, at the Board's  
27 request, at the Sheltering Facility until the case can be heard by  
28 the Board.  
29

1 (10) A COMPLAINT UNDER THESE REGULATIONS SHALL BE  
2 FILED WITHIN ONE YEAR AND ONE DAY FROM THE  
3 DATE OF THE INCIDENT COMPLAINED OF.  
4

5 C. Hearing procedures: findings and orders. The Board shall conduct public  
6 hearings when:

- 7 (1) A written complaint that a person has violated or permitted his  
8 animal to violate the provisions of these Regulations is filed with  
9 the Board. THE COMPLAINT MUST BE SPECIFIC,  
10 PARTICULARLY WITH REGARD TO IDENTIFICATION OF  
11 ANIMALS AND DATES AND LOCATIONS OF  
12 PARTICULAR INCIDENTS.  
13 (2) A written complaint that a person has failed to comply with an  
14 outstanding order of the Board is filed with the Board.  
15 (3) A person who has been served with a citation failed to pay the fine  
16 before the required date; or  
17 (4) An Animal Control Officer signs a written complaint.  
18

19 D. The Board shall give notice in writing to the defendant of a complaint by  
20 either personal delivery, or by certified mail, restricted delivery, return  
21 receipt requested. Said notice shall be received by the defendant at least  
22 14 days prior to the public hearing regarding the alleged violation.  
23

24 E. At the close of all of the evidence, the Board shall deliberate and  
25 within 14 days, the Board shall issue its written decision and order. The  
26 order shall contain findings of fact and conclusions of law. If the Board  
27 finds that a violation did not occur, it shall dismiss the complaint or  
28 citation. In addition to imposing penalties, the Board may require  
29 appropriate affirmative action, including, but not limited to:

- (1) The mandatory restriction or confinement of the animal under such conditions as the Board may require in its discretion.
- (2) The mandatory disposition of the animal as the Board may direct in its discretion.
- (3) The correction of conditions or methods of animal care, keeping, maintenance, housing or veterinary treatment, as the Board may determine in its discretion; all costs associated with the Board's recommendation shall be the responsibility of the owner.
- (4) Ordering the owner/custodian of an animal, after having found them in violation of these regulations or the State Code, to make restitution of expenses incurred for board, veterinary care, etc. to Charles County Department of Animal Control Services.

F. All decisions of the Board authorized under these regulations shall be final and subject to review only by the Circuit Court for Charles County upon a timely appeal filed pursuant to the Maryland Rules of Procedure by any [person] PARTY aggrieved by a decision within the time prescribed for appeals from administrative agencies by such rules of procedure.

G. Orientation for the Board. At the beginning of each year, the assigned County Attorney will conduct a briefing for the Board. (The serious consequences for all concerned makes it imperative that the hearing be conducted properly and with fairness to all parties. Not only should the members of the Board, and in particular the Chairman, know and follow the adopted rules of administrative procedure, but the Board should be educated in the principles and practice of due process, including but not limited to, how to examine and weigh evidence and testimony. The

1 briefing proposed above would serve as an orientation for new members  
2 and a “refresher” for incumbents).

3  
4 **§ 230-5. Chief of Animal Control Services.**

- 5 A. The Chief shall ensure the enforcement of the provisions of these  
6 regulations, including but not limited to public safety, public nuisance,  
7 prevention, cruelty to animals and minimum standards for animal care.  
8 The Chief shall implement and maintain the following:
- 9 (1) A program of regular patrols and response to citizen complaints  
10 for the purpose of enforcing these regulations and the State Code  
11 regarding animals.
  - 12 (2) A program inspection of all animal establishments required to  
13 have a special permit under the provision of these regulations.
  - 14 (3) A program to maintain accurate records of licenses,  
15 impoundments, dispositions and enforcement actions and animal  
16 bites.
  - 17 (4) Provision of twenty-four-hour, seven-day-a-week animal  
18 emergency service to the extent provided by the current approved  
19 fiscal year budget.
  - 20 (5) Public information programs on these regulations, adoption, spay  
21 and neuter, health care, and other programs as needed.
- 22
- 23 B. The Chief shall serve as an advisor to the [Animal Control Board]  
24 ANIMAL MATTERS HEARING BOARD.
- 25
- 26 C. The Chief shall carry out the orders resulting from the hearings of the  
27 [Animal Control Board] ANIMAL MATTERS HEARING BOARD.  
28  
29

1           **§ 230-6.       Animal Control Officer.**

2           A.       Any Animal Control Officer employed by the County Commissioners of  
3                   Charles County, Maryland, shall exercise that authority necessary to  
4                   enforce the provisions of these regulations and the State Code. Animal  
5                   Control Officers are specifically authorized and empowered by these  
6                   regulations, without limitation, to:

- 7                   (1)     Humanely impound any animal which has been observed by an  
8                           Animal Control Officer to be kept in violation of those  
9                           Regulations or the State Code;
- 10                  (2)     Make a prompt and reasonable effort to locate and notify the  
11                           owner or custodian of an impounded animal, including  
12                           coordinating with the shelter staff;
- 13                  (3)     Issue notices of violations to the owner or custodian of an animal  
14                           when it [is] HAS BEEN observed BY AN ANIMAL CONTROL  
15                           OFFICER TO BE in violation of these regulations or the State  
16                           Code.
- 17                  (4)     Shall promptly respond to administer emergency assistance, first  
18                           aid and/or qualified medical assistance to injured or diseased stray  
19                           animals which come into the custody of the County, without the  
20                           consent of the owner or custodian of such animal. For this  
21                           purpose, neither the officer administering such assistance, Charles  
22                           County nor any of its employees or agents shall be liable for acts  
23                           committed or omitted while rendering such assistance unless such  
24                           act or omission constitutes gross negligence or malice.
- 25                  (5)     To investigate animal bites and make recommendations to the  
26                           [Animal Control Board] ANIMAL MATTERS HEARING  
27                           BOARD and/or Health Department pursuant to these regulations.
- 28                  (6)     Receive and investigate complaints concerning dangerous and/or  
29                           vicious animals. Whenever an animal complained against shall be

1 reasonably deemed by an Animal Control Officer to be a  
2 dangerous and/or vicious animal as defined in § 230-12.5 of these  
3 regulations, the Animal Control Officer may issue a citation for  
4 violation of animal regulations to the owner and/or custodian of  
5 the animal citing § 230-12.5 and any other applicable sections of  
6 the Animal Regulations. A citation for the violation of § 230-12.5  
7 requires the owner and/or custodian to appear before the [Animal  
8 Control Board] ANIMAL MATTERS HEARING BOARD on the  
9 date specified on the citation for a hearing to determine if the  
10 animal is to be designated as dangerous and/or vicious pursuant to  
11 these regulations.

12 \_\_\_\_\_ (a) If the Animal Control Officer determines that an animal  
13 which has threatened the public safety and welfare  
14 continues to present a threat to the public safety and  
15 welfare, the Animal Control Officer may impound the  
16 animal. The Animal Control Officer may enter private  
17 property upon probable cause in order to determine if the  
18 animal threatens the public safety and welfare and to  
19 impound the animal pursuant to this section. The animal  
20 shall remain impounded pending a hearing before the  
21 [Animal Control Board] ANIMAL MATTERS HEARING  
22 BOARD. Whenever an animal has been impounded  
23 pursuant to this section the owner and/or custodian, if  
24 known, shall be issued a citation for violation of animal  
25 regulations § 230-12.7 with the date and time for the  
26 scheduled hearing by the [Animal Control Board]  
27 ANIMAL MATTERS HEARING BOARD. The Animal  
28 Control Officer, owner and/or custodian may petition the  
29 Chairman of the [Animal Control Board] ANIMAL

1 MATTERS HEARING BOARD to conduct a special  
2 hearing on the matter prior to the next regularly scheduled  
3 meeting of the [Animal Control Board] ANIMAL  
4 MATTERS HEARING BOARD in accordance with §  
5 230-4 of these regulations.

6 (b) During the period of impoundment under this section the  
7 owner and/or custodian may be held responsible for all  
8 costs and maintenance expenses incurred. These expenses  
9 shall be itemized and presented to the [Animal Control  
10 Board] ANIMAL MATTERS HEARING BOARD to  
11 make a decision on amount of restitution to be paid by the  
12 owner and/or custodian of the animal.

13 (7) Conduct public information programs on these regulations,  
14 adoption, spay neuter, health care, and other programs as directed.

15 (8) Conduct inspections of commercial animal establishments as  
16 provided in these regulations.

17 (9) Receive [any] STRAY AND unwanted animals.

18 (10) Initiate a complaint or other form of enforcement of these  
19 regulations and/or the State Code. Prior to a complaint being filed  
20 by an Animal Control Officer with either the Board or Court of  
21 the State of Maryland, the Animal Control Officer shall have  
22 probable cause of an alleged violation of these regulations or the  
23 State Code.

24 (11) TO SERVE SUBPOENAS REQUIRING APPEARANCE  
25 BEFORE THE BOARD.

26  
27 B. It shall be a violation of these regulations to interfere with, HINDER, OR  
28 MOLEST an Animal Control Officer performing the duties as prescribed  
29 in these Regulations and the State Code. SUCH PROHIBITED



INTERFERENCE INCLUDES, BUT IS NOT LIMITED TO:  
PHYSICALLY STRIKING OR ATTEMPTING TO STRIKE THE  
ANIMAL CONTROL OFFICER; REMOVING OR ATTEMPTING TO  
REMOVE ANY ANIMAL FROM THE CONTROL OF AN ANIMAL  
CONTROL OFFICER; REMOVING OR ATTEMPTING TO REMOVE  
ANY ANIMAL FROM ANY VEHICLE USED BY AN ANIMAL  
CONTROL OFFICER IN THE LAWFUL PERFORMANCE OF  
HIS/HER DUTIES, AND; TAKING OR DAMAGING ANY COUNTY  
PROPERTY USED BY AN ANIMAL CONTROL OFFICER IN THE  
LAWFUL PERFORMANCE OF HIS/HER DUTIES. CERTAIN  
VIOLATIONS OF THIS SECTION MAY ALSO BE SUBJECT TO  
PROSECUTION UNDER THE ANNOTATED CODE OF  
MARYLAND.

**§ 230-7. Powers and duties of animal shelter.**

A. The animal shelter shall have the powers to:

- (1) Receive stray and unwanted animals;
- (2) Ascertain the identity of the owner of any impounded animal, and as a precondition of release require the payment of all charges for the care, impoundment, board, veterinary treatment and unpaid license fees from the animal owner;
- (3) Place for adoption unredeemed or unwanted animals in accordance with these regulations, the State Code, and the policies established by the Sheltering Authority;
- (4) Humanely euthanize unredeemed or unwanted animals in accordance with these regulations and the State Code.

B. The animal shelter shall have the following duties. It shall:

- (1) Provide humane treatment of all animals, at all times, under their care.
- (2) Maintain and adhere to comprehensive procedures prescribing standards for the humane operation of the animal shelter, including, but not limited to, the housing, feeding, care, veterinary treatment, adoption and euthanasia of animals in the facility pursuant to these regulations and State Code.
- (3) To the extent provided by the approved fiscal year budget, provide for necessary and appropriate veterinary care of injured or sick animals in the custody of the County. Such veterinary care may be rendered without the consent of the owner. Charles County employees, Shelter Staff and its agents shall not be liable for acts committed or omitted in rendering such care.
- (4) Post an approved schedule of fees for the housing, care, treatment, adoption and redemption of animals which come into the custody of the animal shelter in a conspicuous place at the animal shelter.
- (5) Keep for a period of three years after such activity records of impoundments, veterinary treatment, disposition of animals and other activities. Animal records shall be complete and accurate to the best ability of the breed, sex, color, condition, how, when, and where animal was obtained, and identification as tattoos or tags.
- (6) Conduct public information programs on these regulations, responsible pet ownership, adoption, spaying, neutering, health care and other programs as directed by the Sheltering Authority.
- (7) Make a prompt and reasonable effort to locate and notify possible owners of a stray animal; trace identification and provide for publication the name, location, hours of operation and telephone numbers in a newspaper of general circulation in Charles County.

1           **§ 230-8.       Cruelty.**

2

3           A.       It shall be a violation of these regulations for any individual to:

- 4                   (1)     Abandon an animal;
- 5                   (2)     Torture, torment, cruelly beat/kill, injure, intentionally mutilate,
- 6                             run down with a vehicle intentionally, overdrive, overload, or
- 7                             otherwise abuse any animal;
- 8                   (3)     Administer poison to any animal or knowingly place or leave any
- 9                             poisonous or other harmful substance with intent to injure or kill
- 10                            any animal other than vermin;
- 11                   (4)     Use or permit any animal to be used for the purpose of fighting
- 12                            with any other animal;
- 13                   (5)     Cause, arrange or authorize these acts;
- 14                   (6)     Have the charge or custody of an animal and inflict unnecessary
- 15                            suffering or pain upon the animal, or unnecessarily fail to provide
- 16                            the animal with nutritious food in sufficient quantity, necessary
- 17                            veterinary care, proper drink, air, space, shelter or protection from
- 18                            the elements.
- 19                   (7)     SELL OR DISTRIBUTE ANY DOG OR CAT LESS THAN
- 20                            EIGHT WEEKS OF AGE UNLESS ACCOMPANIED BY ITS
- 21                            DAM. THIS DOES NOT APPLY TO ANIMALS GIVEN TO A
- 22                            GOVERNMENT OPERATED OR SUPPORTED ANIMAL
- 23                            SHELTER OR ANIMALS ACCOMPANIED BY A
- 24                            STATEMENT SIGNED BY A LICENSED VETERINARIAN
- 25                            STATING THAT THE DAM IS INCAPACITATED FOR
- 26                            HUMANE OR MEDICAL REASONS AND CANNOT CARE
- 27                            FOR HER OFFSPRING.
- 28                   (8)     SELL OR GIVE AWAY ANY WARM-BLOODED ANIMAL
- 29

1 AS AN INDUCEMENT TO ENTER A CONTEST, GAME, OR  
2 PLACE OF AMUSEMENT.  
3

- 4 B. In the case of activities in which physical pain may unavoidably be cause  
5 to animals, such as medical and scientific activities, food processing,  
6 customary and normal veterinary and agricultural husbandry practices,  
7 and hunting, “cruelty” means a failure to employ the most humane  
8 method reasonably available.  
9

10 **§ 230-9. Rabies prevention.**

- 11 A. It shall be the duty of every resident of the County owning a dog, cat or  
12 ferret four months old or older to have such dog, cat or ferret inoculated  
13 with an anti-rabies vaccine approved by the Director of Public Health,  
14 which inoculation shall be repeated as often as the Director of Public  
15 Health may from time to time specify. The inoculation shall be  
16 administered by a licensed veterinarian. The rabies certificate issued by  
17 the veterinarian shall be carefully preserved by the owner or custodian of  
18 the dog, cat or ferret and exhibited promptly upon the request for  
19 inspection by the Animal Control Officer, Health Officer, or any other  
20 law enforcement officer, or their agents, to include shelter staff when  
21 redeeming an animal at the shelter. The status of an animal in quarantine  
22 should always be verified in person either by a health agent, Animal  
23 Control Officer or veterinarian exam.  
24
- 25 B. Quarantine Requirements. As directed by the Health Department, an  
26 animal who has bitten, been bitten by or otherwise exposes or has been  
27 exposed by another animal, or who has bitten or otherwise exposes a  
28 human, or other animal, if not euthanized and tested for rabies, shall be  
29

1                   quarantined for a minimum of 10 days following the exposure, that  
2                   quarantine requires:

- 3                   (1)     Confinement of the animal to a house, garage or other escape  
4                             proof enclosure or building approved by the Health Department or  
5                             its designated agent(s).
- 6                   (2)     The animal may not be removed from the structure unless on a  
7                             leash and under the immediate control of an adult.
- 8                   (3)     Prevention of contact with other animals or persons other than the  
9                             primary caretakers.
- 10                  (4)     The animal may not be removed from the quarantine premise  
11                             unless permission is obtained from the local Health Officer or his  
12                             designated agent(s).
- 13                  (5)     If the animal becomes ill or begins to show behavioral changes,  
14                             the owner must immediately notify the Health Department, who  
15                             shall determine what shall be done.
- 16                  (6)     If the animal dies, the owner shall immediately notify the Health  
17                             Department and make the animal available for rabies testing.
- 18                  (7)     If the animal escapes, the owner shall immediately notify the  
19                             Sheriff's Department, Department of Animal Control and the  
20                             Health Department.
- 21                  (8)     Until the animal is cleared by the Health Department from  
22                             quarantine, the owner shall not kill, give away, sell or otherwise  
23                             dispose of the animal without permission from the Health  
24                             Department.
- 25                  (9)     If a veterinarian's examination is not required on the last day of  
26                             the quarantine, the owner shall report by telephone to the Health  
27                             Department the health status of the animal.
- 28                  (10)    If the animal is unvaccinated against rabies at the time of  
29

1 exposure, the animal shall not be vaccinated until released from  
2 quarantine.

3 (11) If unvaccinated, the owner shall take the animal to a licensed  
4 veterinarian for a physical rabies exam and vaccination within five  
5 days of the end of quarantine.

6 (12) If an animal is not properly quarantined it shall be impounded by  
7 an Animal Control Officer or his designee.

8  
9 **§ 230-10. Licensing.**

10 A. The sale of licenses shall be through the Charles County Treasurer,  
11 Charles County Animal Control, and/or designees of the Charles County  
12 Commissioners.

13 (1) It shall be unlawful for any person, firm or corporation to own,  
14 keep or harbor a dog four months old or older without a current  
15 Charles County License. The license shall expire one year from  
16 the date of issuance.

17 (2) Owners of certified Seeing Eye dogs, hearing dogs, governmental  
18 police dogs, or other certified dogs that are trained to assist the  
19 physically handicapped shall not be required to pay the annual fee  
20 but shall be required to obtain and display the license.

21 (3) Animal shelters operated by chartered humane organizations or  
22 the County for the purpose of housing stray, abandoned, sick or  
23 injured animals shall be exempt from licensing prior to adoption  
24 or return to owner.

25 (4) Applications for license(s) shall be made to the County Treasurer  
26 or a duly authorized agent(s). Before any license shall be issued,  
27 the owner shall produce a valid rabies certificate issued by a  
28 licensed veterinarian proving that the dog is currently vaccinated  
29 against rabies. Before any unsexed license shall be issued, the

owner shall produce a certificate of surgical sterilization issued by a licensed veterinarian proving that the dog has been spayed or neutered.

- (5) License certificates shall include the date of issuance and expiration date, the owner's name and address, home and work telephone numbers, sex, species, breed, age, color and markings; rabies expiration date, rabies tag number, issuing veterinarian and veterinarian's telephone number.
- (6) A license tag shall be issued with the license certificate. This tag shall be worn by the dog at all times, except when confined in a kennel or when participating in a competition where such displays are prohibited.
- (7) No person may use any license for any dog other than the animal for which it was issued.
- (8) The license certificate shall be made available upon request by any health or public safety officer, or their agents.
- (9) The annual fee for a dog license shall be:
  - (a) Unneutered male: \$15.
  - (b) Unspayed Female: \$15.
  - (c) Neutered Male: \$2.
  - (d) Spayed Female: \$2.

B. Commercial animal establishment licensing. No person, partnership or corporation shall operate a commercial animal establishment without first obtaining a commercial animal establishment license in compliance with this section. License applications shall be accompanied by written verification from Charles County Government that the applicant complies with any and all Zoning Ordinance and amendments thereto.

- (1) No fee may be required of any government-operated zoological park.
- (2) All dogs and cats offered for sale or resale must be examined by a licensed veterinarian within the last three months prior to sale or resale.
  - (a) Any animal under veterinarian treatment may not be offered for sale without release from the veterinarian.
  - (b) Any owner or employee of a commercial animal establishment who knows of or should have known of any animal defect or illness shall make a purchaser aware of this information prior to sale.
- (3) Records or forms must be maintained for a period of one (1) year for any animal offered for sale or sold. Records shall contain the following but are not limited to:
  - (a) Animal Description: breed, sex, color, and age.
  - (b) The origin of purchase, to include the supplier and the date of receipt.
  - (c) PROOF OF SALE
  - (d) Medical Record and any required treatment program.
- (4) An annual commercial animal establishment license shall be issued upon successful completion of an inspection and payment of the applicable fee and shall be displayed in a conspicuous place.
- (5) Change in ownership or location.
  - (a) If there is a change in ownership of a commercial animal establishment, the new owner shall have the current license transferred to his/her name upon payment of a \$25 transfer fee and completion of a successful inspection.
  - (b) If there is a change in the location of a commercial animal



1 establishment, the owner shall file for a change of address  
2 and pay a \$25 fee and complete a successful inspection  
3 within 30 days of change of location.

- 4 (6) Any commercial animal establishment who has a change in the  
5 category under which a license was issued shall notify the  
6 licensing authority and be subject to reinspection, reclassification  
7 and readjustment of the license fee.
- 8 (7) Every facility regulated by these Regulations shall be considered a  
9 separate enterprise requiring an individual license.
- 10 (8) The license period shall run for one year from the date of  
11 issuance. Renewal applications for licenses shall be made 30 days  
12 prior to expiration of said license.

13  
14 C. Commercial animal establishment license issuance and revocation.

- 15 (1) Written application for a commercial animal establishment license  
16 shall be made to the County Treasurer. Application shall be  
17 accompanied by the license fee and written verification from  
18 Charles County Government that the establishment complies with  
19 County Zoning Ordinances
- 20 (2) After an application is filed, the license authority shall inspect the  
21 facility prior to issuing the license. A license may be withheld or  
22 revoked if the person, partnership or corporation holding the  
23 license refuses or fails to comply with these regulations or any law  
24 governing the protection and keeping of animals.
- 25 (3) It shall be a condition of the issuance of any license that Charles  
26 County Animal Control be permitted to inspect upon demand  
27 during normal business hours all animals, ALL RECORDS  
28 REQUIRED TO BE RETAINED UNDER THESE  
29 REGULATIONS, and the premises where animals are kept. If

1 permission for such inspection is refused, the license of the  
2 refusing owner shall be revoked.

- 3 (4) If the applicant has withheld or falsified any information on the  
4 application, the licensing authority may refuse to issue or may  
5 revoke the license.
- 6 (5) No person, partnership or corporation who has been found guilty  
7 of cruelty to animals shall be issued a license to operate a  
8 commercial animal establishment.
- 9 (6) Any person having been denied a license shall not be eligible to  
10 reapply for a period of six months. Each reapplication shall be  
11 accompanied by a fee of \$25 and written verification from Charles  
12 County Government that the establishment complies with any and  
13 all County Zoning Ordinances and amendments thereto.  
14 Individuals who have been denied a license under Subsection C(5)  
15 may not reapply.
- 16 (7) Appeals for withheld or revoked licenses may be made to the  
17 Board within 14 days of the notice of such action.
- 18 (8) In the event of a timely appeal, the revocation of a license may not  
19 be effective until after the next scheduled public hearing except, in  
20 the event of an emergency situation an Animal Control Officer  
21 may make application before the Chairman of the Board, who is  
22 authorized to issue a cease and desist order. This case shall be  
23 heard at the next hearing of the Board.

24  
25 D. Commercial animal establishment license fees. License fees shall be as  
26 follows:

- 27 (1) Any kennel and cattery:  
28 (a) Boarding Kennel/cattery authorized to house fewer than 10  
29 dogs or cats: \$75.

- (b) Boarding Kennel/cattery authorized to house 10 or more but fewer than 50 dogs or cats: \$150.
- (c) Boarding Kennel/cattery authorized to house 50 or more dogs or cats: \$200.
- (d) Breeding Kennel/cattery authorized to house fewer than 10 adult animals: \$75.
- (e) Breeding Kennel/cattery authorized to house 10 or more but fewer than fifty adult animals: \$150.
- (f) Breeding Kennel/cattery authorized to house 50 or more adult animals: \$200.
- (2) Pet shop: \$200.
- (3) Auction: \$300.
- (4) Zoological park: \$250.
- (5) Circus: \$250.
- (6) Grooming shop: \$150.
- (7) Petting zoo: \$300.
- (8) Guard dog training center: \$250.

**§ 230-11. Animal care.**

- A. No owner or custodian of an animal shall fail to provide the animal with humane care and treatment, sufficient, wholesome and nutritious food; potable water in sufficient quantities; proper air, shelter, space and protection from the weather; and veterinary care when needed. In the case of farm animals, nothing in this section may be construed as imposing shelter requirements or standards more stringent than normally accepted husbandry practices.

- 1 B. Minimum standards for indoor and outdoor enclosures for animals must:
- 2 (1) Be structurally sound and maintained in good repair to protect the
- 3 animal from injury and to contain the animal;
- 4 (2) Provide sufficient space to allow each animal adequate freedom of
- 5 movement; space must be appropriate and sufficient for the age,
- 6 breed/type, quantity, condition and size of the animal(s).
- 7 (3) Be usable and safe (e.g., must be provided an area free from
- 8 standing water, accumulated waste, sharp objects, trash and debris
- 9 and maintained in a safe and humane manner to minimize health
- 10 hazards and obnoxious odors);
- 11 (4) Provide palatable water that is always available and that is kept in
- 12 a vessel secured to prevent tipping.
- 13
- 14 C. Indoor housing facilities shall provide adequate ventilation by natural or
- 15 mechanical means, and the ambient temperature shall be compatible with
- 16 the health of the animal.
- 17
- 18 D. Outdoor shelter shall be as follows:
- 19 (1) When sunlight is likely to cause heat exhaustion, sufficient shade
- 20 by natural or artificial means shall be provided to protect the
- 21 animal from direct sunlight.
- 22 (2) If a dog is confined outdoors unattended, it shall be the duty of
- 23 each and every owner to provide said dog with proper shelter as
- 24 described below:
- 25 (a) Weatherproof. Shelter must be solid. There shall be no
- 26 cracks or openings other than entrance. The shelter shall
- 27 not have any metal or plastic primary interior surfaces.
- 28 (Commercially made shelters with insulation material
- 29

1 between the inner and outer layers of fiberglass/plastic  
2 construction are generally acceptable.)

3 (b) Elevated. Floor must be off the ground at least two (2)  
4 inches.

5 (c) Door flap. The entrance must be covered with a flexible  
6 flap and/or entrance placed down wind when necessary to  
7 protect the animal from the elements of weather.

8 (d) Bedding. Bedding must be dry. Straw, leaves, hay, cedar  
9 chips or other material must be provided as needed during  
10 cold and inclement weather.

11 (e) Size. The shelter must be large enough to allow the  
12 animal to enter, stand, turn around and lie down  
13 comfortably and small enough to allow the animal to warm  
14 interior with its body.

15  
16 E. If a chain, rope, line or other such item, is used to tie an animal, it shall be  
17 of sufficient length to safely and humanely allow the animal freedom of  
18 movement without becoming entangled with obstructions.

19  
20 F. A person may not allow an animal to ride in the unenclosed area of a  
21 motor vehicle unless the animal is confined by a securely affixed, well-  
22 ventilated container, cage or other device designated to safely prevent the  
23 animal from falling or jumping from the motor vehicle.

24  
25 **§ 230-12. Animal at large.**

26 A. It shall be unlawful for any person, partnership or corporation to allow  
27 their animal to be at large.

28  
29 B. This Section shall not apply to a dog undergoing supervised obedience

1 training or while actually engaged in the sport of hunting in an authorized  
2 area while supervised by a competent person.

3  
4 C. Without permission of the proper authority the owner or custodian of any  
5 animal may not permit the animal to be on school grounds on a day when  
6 school is in session, in a public recreation area, any public property or  
7 thoroughfare or private property without the property owner's permission  
8 unless:

9 (1) The animal is controlled by a leash or similar restraining device.

10  
11 (2) The presence of the animal is in an organized activity such as a  
12 dog show.

13  
14 D. No animal accidentally at large with a person capable of controlling the  
15 animal in immediate pursuit shall be deemed at large.

16  
17 E. A person who is aware of an animal being at large or who finds a stray  
18 animal shall report the condition to the animal shelter or Animal Control  
19 Officer.

20  
21 F. An Animal Control Officer and/or authorized representative of Animal  
22 Control who observes an animal at large may pursue that animal on  
23 public and/or private property.

24  
25 **§ 230-12.1. Female in season.**

26 Every female dog or cat in season shall be humanely confined in a building or secure enclosure  
27 in such a manner that such female dog or cat cannot come in contact with an unneutered male of  
28 the same species except for planned breeding. This does not exclude normal waste elimination  
29 while under physical restraint and direct supervision and on the owner/custodian's property.

1  
2       **§ 230-12.2.   Allowing animal to urinate or defecate on private property prohibited.**

3       It shall be unlawful for any owner or custodian to allow their animal to urinate or defecate on  
4       the property of another without the consent of the owner of said property.  
5

6       **§ 230-12.3.   Allowing animal to defecate on public property prohibited.**

7       It shall be unlawful for any owner or custodian to allow their animal to defecate on public  
8       property unless the owner or custodian of the animal immediately thereafter removes and  
9       disposes of it in a sanitary manner. This does not apply to livestock.  
10

11       **§ 230-12.4.   Public nuisance.**

12           A.     No person shall keep or maintain any animal in such manner as to cause  
13                   or permit the animal to be a public nuisance. A public nuisance is when  
14                   an owner or custodian allows an animal to:

- 15                   (1)    Be at large;  
16                   (2)    Damage the property of anyone other than its owner.  
17                   (3)    Molest pedestrians, neighbors or passersby;  
18                   (4)    Intimidate pedestrians, neighbors or passersby. Intimidation  
19                           should be defined as a reasonable prudent person under same  
20                           and/or similar circumstances and whether that person would have  
21                           been intimidated by the actions of the animal in question.  
22                   (5)    Chase vehicles;  
23                   (6)    Bark or make other harsh or excessive noise so as to disturb the  
24                           quiet, comfort, or repose of members of the community as  
25                           reflected by reasonable persons with normal sensitivities;  
26                   (7)    Foul the air by odor and thereby create unreasonable annoyance or  
27                           discomfort to neighbors or others in close proximity to the  
28                           premises where the animal is kept or harbored;  
29

- (8) Defecate on public property and/or urinate/defecate on private property; or
- (9) Continue or repeat that behavior or activity for which the animal has previously been determined by the Board, after notice to its owner and a hearing, to be in violation of any of these regulations and/or a public nuisance by virtue of being a menace to the public health, welfare or safety.

**§ 230-12.5. Dangerous and/or vicious animals.**

- A. For the purpose of these Regulations a dangerous and/or vicious animal shall be defined as any animal:
  - (1) Which wounds, bites, or otherwise injures a human being without provocation on public or private property. For the purposes of this section, the term [“unprovoked”] PROVOKED shall mean any situation occurring in Subsection B(1), and not the term as described in the Health Department bite report.
  - (2) Which has injured or killed a domestic animal, without provocation, on public or private property.
  - (3) Which has a vicious nature, disposition and/or propensity which is known or should be known by its owner.
  - (4) Owned or harbored primarily or in part for the purpose of animal fighting, or any animal trained for animal fighting;
  - (5) Not owned by a governmental or law enforcement unit, used primarily to guard public or private property.
- B. No animal may be declared dangerous and/or vicious if:
  - (1) The threat, wound, bite, injury or damage was sustained by a person who:
    - (a) At the time was committing a willful trespass or other tort



1                                    upon the premises occupied by the owner or keeper of the  
2                                    animal; or

3                                    (b)    Was tormenting, abusing, or assaulting the animal[s]; or

4                                    (c)    Has in the past been observed or reported to have  
5                                    tormented, abused, or assaulted the animal; or

6                                    (d)    Was committing or attempting to commit a crime;

7                                    (2)    OR the animal was:

8                                    (a)    Protecting or defending its young or other animal.

9                                    (b)    Responding to pain or injury.

10  
11                                    C.    Upon determination of dangerous and/or vicious by the Board, the Board  
12                                    may require any or all of the following:

13                                    (1)    No dangerous and/or vicious animal shall be chained, tethered or  
14                                    otherwise tied to any inanimate object, such as a tree, post or  
15                                    building outside of its own enclosure.

16                                    (2)    For any owner of a dangerous and/or vicious animal who  
17                                    maintains their animal outside, a portion of their property shall be  
18                                    fenced with a perimeter or area fence. Within this perimeter  
19                                    fence, the animal shall be humanely confined inside a pen or  
20                                    kennel of adequate size. The pen or kennel may not share  
21                                    common fencing with the area or perimeter fence. The kennel or  
22                                    pen must have secured sides; a secure top attached to all sides; the  
23                                    sides must either be buried two feet into the ground, sunken into a  
24                                    concrete pad, or otherwise secured to prevent escape by digging.  
25                                    The gate to the kennel must be locked.

26                                    (3)    Whenever outside of its enclosure, but on the owner's property, a  
27                                    dangerous and/or vicious animal must be attended by the owner  
28                                    and restrained by a secure collar and leash of sufficient strength to  
29                                    prevent escape.

- 1 (4) The owner or custodian of any dangerous and/or vicious animal  
2 shall display in a prominent place on their premises where the  
3 animal is kept, and at each entrance and exit to the area where  
4 such animal is confined, a sign easily readable by the public using  
5 the words "DANGEROUS DOG" or such other language as the  
6 Board may direct. The lettering on the signs shall be at least  
7 three-inch block on signs 8 ½ inches by 14 inches, easily readable,  
8 in bright colors.
- 9 (5) Except when being transported in, and humanely and securely  
10 confined within, a vehicle, no dangerous and/or vicious animal  
11 shall be permitted off the property of its owner except when it is:
- 12 (a) Attended by his owner; and  
13 (b) Is humanely restrained by a secure collar and leash (not to  
14 exceed six feet in length); both collar and leash to be of  
15 sufficient strength to prevent escape; and  
16 (c) is humanely muzzled by any means sufficient to prevent  
17 biting other persons or domestic animals.
- 18 (6) The animal be neutered at the expense of the owner.  
19 (7) The animal be tattooed with a number to be issued by the Board,  
20 OR MICROCHIPPED, at the expense of the owner.  
21 (8) Ownership or custody of an animal deemed dangerous and/or  
22 vicious by the Board shall not be transferred without prior written  
23 approval of the Board.  
24 (9) The animal be humanely euthanized.

25  
26 D. The owner or custodian of an animal deemed dangerous and/or vicious by  
27 the Board shall immediately notify the Sheriff's Department and Animal  
28 Control if the animal should become at-large or otherwise not meet any  
29 and all requirements set by the Board.

- 1 E. Enforcement of the requirements set by the Board for the keeping of a  
2 dangerous and/or vicious animal.
- 3 (1) In the event that the owner of a dangerous and/or vicious animal is  
4 in violation of any regulation, the ACO or other public safety  
5 officer may order the violation immediately corrected and issue a  
6 citation to the owner or custodian.
- 7 (2) If the violation cannot be immediately corrected, the animal may  
8 be impounded, in which case the owner or custodian will be  
9 issued a citation and notified to appear before the Board for the  
10 violation. At the owners request and expense and upon approval  
11 by Animal Control, such impoundment may be at a veterinarian or  
12 licensed kennel of the owner's choosing.
- 13 (3) If the owner or keeper of a dangerous and/or vicious animal  
14 impounded for violation of these regulations presents proof that  
15 the animal will now be kept in compliance with these regulations,  
16 the animal shall be released upon payment of any fees and  
17 penalties due.
- 18 (4) If the owner or custodian of a dangerous and/or vicious animal  
19 fails to either provide proof that the animal shall now be kept  
20 restrained and/or confined in compliance with these regulations or  
21 fails to reclaim it within 72 hours from Animal Control after  
22 impoundment, the animal shall be humanely euthanized.
- 23
- 24 F. Repeat offenders of provisions relating to dangerous and/or vicious  
25 animals will be given an opportunity to fully explain to the Board why a  
26 violation has been repeated. The Board will consider such explanation in  
27 determining penalties and/or disposition.  
28  
29

1           **§ 230-12.6.   Impoundment; redemption; adoption.**

- 2           A.     Any animal observed in violation of these regulations or the State Code  
3                 shall be immediately and humanely impounded and housed with the  
4                 animal shelter or its designated agent. In addition to, or in lieu of,  
5                 impounding an animal, the Animal Control Officer may issue to the  
6                 known owner or custodian of such animal a notice of violation.  
7  
8           B.     Impounded domestic animals shall be kept for not less than three working  
9                 days unless said animal is contagiously ill or severely injured.  
10  
11          C.     An owner reclaiming an impounded animal shall pay the fees established  
12                 by the Sheltering Authority. The fees for subsequent impounds occurring  
13                 within 12 months shall be doubled. Upon the third and any subsequent  
14                 impoundments within 12 months, the animal shall remain in the shelter  
15                 until the owner appears before the Board's next scheduled hearing. The  
16                 Board shall determine the necessary means to abate the violations and  
17                 MAY levy fines and fees.  
18  
19          D.     In addition to paying the established fees, an owner reclaiming an  
20                 impounded animal shall show proof of a current rabies vaccination and  
21                 county license, or shall pay the deposit fees required to comply with §§  
22                 230-9 and 230-10 of these regulations and other expenses incurred by the  
23                 County in caring for the impounded animal.  
24  
25          E.     Except as otherwise provided in these regulations, any animal impounded  
26                 and not redeemed by its owner within three working days following  
27                 notice of impoundment shall be deemed abandoned. The animal shall  
28                 then become the property of the County, which shall place for adoption or  
29

1 euthanize the animal in accordance with the State Code and shelter  
2 policy.

3  
4 F. No unclaimed dog or cat shall be released for adoption without being  
5 sterilized or without written agreement from the adopter guaranteeing that  
6 such animal will be sterilized within 30 days for adults or a specified date  
7 in the contract for puppies and kittens.

8  
9 G. Any animal considered by the Sheltering Authority to be unhealthy,  
10 dangerous or otherwise unsafe may not be placed for adoption.

11  
12 H. The Animal Shelter may deny applications for adoption as provided by  
13 established shelter policy and procedure.

14  
15 I. No wild animal may be placed for adoption.

16  
17 J. No animal shall be knowingly sold or given away for use in  
18 experimentation or research.

19  
20 K. The County, its employees or agents shall not be liable for any damages  
21 to person or property caused by an animal adopted or reclaimed from the  
22 shelter.

23  
24 **§ 230-12.7. Striking domestic animal with motor vehicle.**

25 As in Maryland Transportation Law, Article 20, §§ 105 and 106, any person who, as the  
26 operator of a motor vehicle, strikes a domestic animal shall immediately notify the owner of the  
27 domestic animal, or, if the owner cannot be immediately notified, then the State or local police,  
28 of the accident.

1           **§ 230-12.8.   Fees.**

2           Any fees or fines established within these regulations may be evaluated and adjusted annually.

4           **§ 230-12.9.   Fines.**

5                   A.     The Board may impose fines at the close of all evidence, at any hearing,  
6                               as set forth below.

8                   B.     The fines for subsequent violations within a 12 month period shall be  
9                               doubled for those violations with set penalties.

10                   **In Violation**

11                   **of Section                   Subject                   Fine**

13                   § 230-6B                   Interference with an Animal Control                   \$50  
14   Officer

15                   **In Violation**

16                   **of Section                   Subject                   Fine**

18                   230-8                   Cruelty (requires an appearance before                   \$50 to  
19   the Board)                   \$500

20                   230-9                   Rabies prevention  
21   Failure to vaccinate                   \$50  
22   Failure to quarantine                   \$100

23                   230-10                   Licensing  
24   Individual                   \$35  
25   Commercial animal establishment                   \$150

26                   230-11                   Animal care (per offense; not to exceed                   \$25  
27   \$100 per animal)

28                   230-11F                   Animal riding in an open vehicle                   \$35

29                   230-12                   Animal at large                   \$35

1	<b>In Violation</b>		
2	<b>of Section</b>	<b>Subject</b>	<b>Fine</b>
3			
4	230-12.1	Female in season	\$35
5	230-12.2	Allowing an animal to urinate/defecate	\$35
6		on private property	
7	230-12.3	Allowing an animal to defecate on	\$35
8		public property	
9	230-12.4	Public nuisance violation of the	\$50 to
10		Board's order (requires an appearance	\$100
11		before the Board)	
12	230-12.5	Dangerous and/or vicious	\$50 to
13		(requires an appearance before the	\$500
14		Board)	

15

16 C. Violations covered under [this section] SECTION 230-12.11 are referred

17 to, and prosecuted by the State's Attorney in the District Court of

18 Maryland for Charles County.

19

20 **§ 230-12.10. Entering into contracts with outside services.**

21 No statement, provision or regulation set forth herein shall be construed to prevent the County

22 Commissioners of Charles County, Maryland from entering into a contract with an outside

23 service.

24

25 **§ 230-12.11. Failure to pay fines; failure to appear before [Animal Control Board]**

26 **ANIMAL MATTERS HEARING BOARD; or failure to comply with lawful**

27 **orders of [Animal Control Board] ANIMAL MATTERS HEARING**

28 **BOARD.**

29 A. Anyone served with a citation for an alleged violation of any of the

1 provisions of these regulations shall be subject to payment of a fine as  
2 specified on the citation form or must appear before the [Animal Control  
3 Board] ANIMAL MATTERS HEARING BOARD to answer the  
4 complaint. Any person willfully failing to appear before the Board when  
5 notified to do so, and/or after having failed to pay the fine as specified on  
6 the citation form within the time specified on the citation shall be guilty  
7 of a misdemeanor punishable by not more than 60 days in jail, a fine of  
8 \$300, or both.

9  
10 B. Any person willfully failing to comply with any lawful order of the Board  
11 shall be guilty of a misdemeanor punishable by not more than 60 days in  
12 jail, a fine of \$300, or both.

13  
14 C. Charges under this section will be referred to the State's Attorney's  
15 Office for prosecution in the District Court of Maryland for Charles  
16 County.

17  
18 **SECTION 2.** BE IT FURTHER ENACTED, that this Act shall take effect 45 calendar  
19 days after it becomes law.